

UNITED STATES DISTRICT COURT
for the
Western District of Washington

FILED _____	LODGED _____
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Jul 29, 2022	
CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA	
BY _____	DEPUTY _____

In the Matter of the Search of Information associated)
with 928-327-8573 (TT3), in the custody of T-Mobile,) Case No. MJ22-5139
for Investigation of 21 U.S.C. §§ 841, 846, and Other)
Offenses)
)

APPLICATION FOR A SEARCH WARRANT AND PEN-TRAP ORDER

I, Steven Meyer, a federal law enforcement officer or an attorney for the government, request a search warrant and pen-trap order, and state under penalty of perjury that I have reason to believe that on the person or property described in Attachment A located in the Western District of Washington, there is now concealed property and evidence described in Attachment B. This Court has authority to issue these warrants under 18 U.S.C. §§ 2703(c)(1)(A) and 2711(3)(A) and Federal Rule of Criminal Procedure 41.

The basis for the search under Fed. R. Crim P. 41(c) is (*check one or more*):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
21 U.S.C. §§ 841, 846

Offense Description
Possession with Intent to Distribute Controlled Substances, Conspiracy

The application is based on the facts set forth in the attached affidavit, which is incorporated herein by reference with all attachments and exhibits. Pursuant to 18 U.S.C. § 3123(a)(1), Exhibit 1 to the affidavit includes a certification from an attorney from the government that the requested information is relevant to an ongoing criminal investigation.

☒ Delayed notice of 90 days (give exact ending date if more than 30 days: October 27, 2022) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 41, this warrant is presented by:
☒ by reliable electronic means; or ☐ telephonically recorded



Applicant's signature

Steven Meyer, Special Agent

Printed name and title

- ☐ The foregoing affidavit was sworn before me and signed in my presence, or
- ☒ The above-named officer provided a sworn statement attesting to the truth of the contents of the foregoing affidavit by telephone.

Date: July 29, 2022



Judge's signature

City and state: Tacoma, Washington

J. Richard Creatura, United States Chief Magistrate Judge

Printed name and title

STATE OF WASHINGTON)
) SS
COUNTY OF PIERCE)

INTRODUCTION

2. I make this Affidavit in support of an Application for a search warrant under Federal Rule of Criminal Procedure 41 and 18 U.S.C. § 2703(c)(1)(A) for authorization to obtain real time GPS location information with an integrated Pen Register and Trap and Trace order for the following cellular telephone used by an individual suspected to be involved in criminal activity, namely narcotics trafficking and related offenses:

(928) 327-8573, with a subscriber name of CHEKO LL at 4136 West Maryland Avenue, Phoenix, Arizona 85019², activated on January 15, 2021, and service

² This address has been identified as Target Location 2. Along with Target Location 1, and Target Vehicle 1, a Search Warrant is pending in the District of Arizona. For continuity, the locations and vehicle will be referred to as TL1, TL2, and TV1 in this affidavit.

provided by T-Mobile, a wireless telephone service provider headquartered at 4 Sylvan Way, Parsippany, New Jersey (hereinafter referred to as Target Telephone 3 or **TT3**)³. **TT3** is described herein and in Attachment B. Agents believe **TT3** is currently being used by Oscar RUIZ, who agents believe is conspiring with members of the Washington-based DTO (The Distributors).

ECPA

3. The Court has jurisdiction to issue the proposed warrant under the Electronic Communications Privacy Act (ECPA), 18 U.S.C. §§ 2701-2713, because it is a “court of competent jurisdiction” as defined in 18 U.S.C. § 2711. Specifically, the Court is a district court of the United States that has jurisdiction over the offense being investigated, *see* 18 U.S.C. § 2711(3)(A)(i).

Pen Register Act

4. Because this warrant seeks the prospective collection of information that falls within the statutory definitions of information collected by a “pen register” and/or “trap and trace device,” *see* 18 U.S.C. § 3127(3) & (4), the requested warrant is designed to comply with the Pen Register Act, 18 U.S.C. §§ 3121-3127.

5. The Court has jurisdiction to issue the requested pen-trap order because it is a “court of competent jurisdiction” under 18 U.S.C. § 3122(a)(2). Specifically, the Court is a district court of the United States that “has jurisdiction over the offense being investigated.” 18 U.S.C. § 3127(2)(A)(i).

6. This application includes all the information required by the Pen Register Act. *See* 18 U.S.C. §§ 3122(b) & 3123(a)(1). Namely, Exhibit 1 to this application is a certification from Assistant United States Attorney Hillary Stuart that (1) identifies the

³ Agents previously identified Distributor 1 as the user of TT1, Distributor 2 as the user of TT2, and Oscar RUIZ as the user of **TT3**. In the case against the Distributors, on March 7, 2022, a United States Magistrate Judge authorized GPS tracking and PEN data collection on Distributor 1’s TT1, Distributor 2’s TT2, and Oscar RUIZ’s **TT3**. Agents have been granted renewed authorization on TT1, TT2, and **TT3** as the investigation has progressed. While the case against RUIZ is a new case, we have maintained the identifiers for TT1, TT2, and **TT3** for continuity.

1 DEA as the law enforcement agency conducting the investigation and (2) certifies the
2 information likely to be obtained is relevant to an ongoing criminal investigation being
3 conducted by that agency. 18 U.S.C. § 3122(b). The Assistant United States Attorney is
4 an “attorney for the government” as defined in Rule 1(b)(1) of the Federal Rules of
5 Criminal Procedure.

6 7. A “pen register” is “a device or process which records or decodes dialing,
7 routing, addressing, or signaling information transmitted by an instrument or facility from
8 which a wire or electronic communication is transmitted.” 18 U.S.C. § 3127(3). A “trap
9 and trace device” is “a device or process which captures the incoming electronic or other
10 impulses which identify the originating number or other dialing, routing, addressing, and
11 signaling information reasonably likely to identify the source of a wire or electronic
12 communication.” 18 U.S.C. § 3127(4).

13 8. In the traditional telephone context, pen registers captured the destination
14 phone numbers of outgoing calls, while trap and trace devices captured the phone
15 numbers of incoming calls. Similar principles apply to other kinds of wire and electronic
16 communications such as emails, text messages, connection logs, and data transfers. The
17 prospective location data sought in this application constitutes “dialing, routing,
18 addressing, and signaling information” covered by the Pen Register Act. Accordingly, the
19 requested warrant will record, decode, and/or capture dialing, routing, addressing, and
20 signaling information associated with the Target Telephone without geographic limit.

21 9. The United States further requests, pursuant to 18 U.S.C. §§ 3123(b)(2) and
22 3124(a)-(b), that the Court order through Attachment B, of the requested warrant that T-
23 Mobile, and any other person or entity providing wire or electronic communication
24 service in the United States whose assistance may facilitate execution of this warrant
25 furnish, upon service of the warrant, information, facilities, and technical assistance
26 necessary to install the pen/trap, including installation and operation of the pen-trap
27 unobtrusively and with minimum disruption of normal service. Any entity providing such
28 assistance shall be reasonably compensated by the DEA, pursuant to 18 U.S.C. § 3124(c),

1 for reasonable expenses incurred in providing facilities and assistance in furtherance of
2 the warrant.

3 10. **Through this application, the United States does not request and does**
4 **not seek to obtain the contents of any communications, as defined in 18 U.S.C.**
5 **§ 2510(8).**

6 **AGENT BACKGROUND**

7 11. I am an “investigative or law enforcement officer of the United States”
8 within the meaning of Title 18, United States Code, Section 2510(7). Specifically, I am a
9 Special Agent with the DEA, and have been since March 2017. I am currently assigned to
10 the Seattle Field Division, Tacoma Resident Office. Prior to my employment with the
11 DEA, I worked as a Uniformed Officer with the Secret Service in Washington, D. C.
12 from June 2006 to April 2009. I received formal training at the DEA Basic Agent
13 Training in Quantico, Virginia. The four-month Basic Academy included comprehensive,
14 formalized instruction in, among other things: basic narcotic investigations, drug
15 identification and detection, familiarization with United States narcotics laws, financial
16 investigations and money laundering, identification and seizure of drug-related assets,
17 organized crime investigations, physical and electronic surveillance, and undercover
18 operations.

19 12. During the course of my law enforcement career, I have been involved in
20 investigations of numerous criminal offenses, including the offenses involved in the
21 current investigation. I have participated in criminal investigations of illicit drug
22 trafficking organizations, ranging from street-level dealers to major dealers, to include
23 Mexico-based drug trafficking organizations. These investigations have also included the
24 unlawful importation, possession with intent to distribute, and distribution of controlled
25 substances; the related laundering of monetary instruments; the conducting of monetary
26 transactions involving the proceeds of specified unlawful activities; and conspiracies
27 associated with criminal narcotics offenses. These investigations have included use of
28 the following investigative techniques: confidential informants; undercover agents;

1 analysis of pen register, trap and trace, and toll records; physical and electronic
2 surveillance; wiretaps; and the execution of search warrants. I have had the opportunity to
3 monitor, listen to, and review transcripts and line sheets (prepared by linguists)
4 documenting the content of intercepted conversations involving the trafficking of
5 cocaine, heroin, methamphetamine, fentanyl, and other narcotics, by persons who used
6 some form of code to thwart law enforcement. I have also interviewed defendants at the
7 time of their arrests and have debriefed, spoken with, or interviewed numerous drug
8 dealers or confidential sources (informants) at proffer interviews who were experienced
9 in speaking in coded conversations over the telephone. I have gained knowledge
10 regarding the various methods, techniques, codes, and/or jargon used by drug traffickers
11 in the course of their criminal activities, including their use of cellular telephones and
12 other electronic devices to facilitate communications while avoiding law enforcement
13 scrutiny.

14 13. I have authored, planned, and participated in the execution of search
15 warrants authorizing the search of locations associated with drug traffickers and their co-
16 conspirators, such as residences, businesses, storage facilities, and vehicles.
17 Additionally, I have authored and supervised the execution of dozens of tracking
18 warrants, including multiple federal tracking warrant affidavits for vehicles and cellular
19 telephones. I have testified at grand jury proceedings and written reports in the course of
20 investigations. These investigations have resulted in numerous state and federal
21 prosecutions of individuals who have possessed, imported, or distributed controlled
22 substances, including methamphetamine, heroin, cocaine, suspected fentanyl pills, as well
23 as the seizure of those illegal drugs and the proceeds from their sale.

24 14. The facts set forth in this Affidavit are based on my own personal
25 knowledge; knowledge obtained from other individuals during my participation in this
26 investigation, including other law enforcement personnel; review of documents and
27 records related to this investigation; communications with others who have personal
28 knowledge of the events and circumstances described herein; and information gained

1 through my training and experience. Because this Affidavit is submitted for the limited
2 purpose of establishing probable cause in support of the Application for a search warrant
3 and pen register/trap and trace device, it does not set forth each and every fact that I or
4 others have learned during the course of this investigation.

5 **KNOWLEDGE BASED ON TRAINING AND EXPERIENCE**

6 15. Based upon my experience and training with the DEA as well as
7 conversations I have had with other agents and law enforcement officers who specialize
8 in narcotics, gang, and firearms investigations, I am familiar with the methods, tactics,
9 and techniques utilized by gang members/associates and narcotics traffickers.

10 16. Based on my training and experience, I know drug traffickers often require
11 the use of one or more communication facilities to negotiate times, places, schemes, and
12 manners for coordinating their criminal activities, including drug trafficking, firearms
13 trafficking, and other violent acts. I also know drug traffickers often use fraudulent
14 information to subscribe to communication facilities, and frequently change
15 communication facilities to thwart law enforcement efforts to intercept their
16 communications.

17 17. Based on my training and experience, and my discussions with other
18 experienced officers and agents involved in gang, firearms, and drug investigations, I
19 know that drug dealers use cellular telephones as a tool or instrumentality in committing
20 their criminal activity. They use them to maintain contact with their associates. They
21 prefer cellular telephones because they can be purchased without the location and
22 personal information that land lines require. They can be easily carried to permit the user
23 maximum flexibility in meeting associates and avoiding police surveillance. They can
24 also be passed between members of a gang or drug conspiracy to allow substitution when
25 one member leaves the area temporarily.

26 18. The assigned number to the cellular telephone (known as the mobile
27 directory number or MDN), and the identifying telephone serial number (Electronic
28 Serial Number, or ESN; Mobile Identification Number, or MIN; International Mobile

Subscriber Identity, or IMSI; or International Mobile Equipment Identity, or IMEI are important evidence because they reveal the service provider, allow us to obtain subscriber information, and uniquely identify the telephone. This information can be used to obtain toll records, to identify contacts by this telephone with other cellular telephones used by co-conspirators, to identify other telephones used by the same subscriber or purchased as a part of a package, and to confirm if the telephone was contacted by a cooperating source or was intercepted on a wiretap here or in another district.

19. Based on the facts set forth in this Affidavit, there is probable cause to believe that violations of 21 U.S.C. §§ 841, 846 have been committed, are being committed, and will be committed by the RUIZ. There is also probable cause to believe that the RUIZ is using **TT3** to facilitate their criminal activities and that the whereabouts of **TT3** over time and the location information described in Attachment B will constitute evidence of those criminal violations and will lead to the identification of locations where the RUIZ resides and frequents. Obtaining the information sought in this Affidavit is necessary to further the investigation into these offenses.

APPLICABLE LAW

20. Title 21, United States Code, Section 841 provides for criminal penalties for the distribution of, and possession with intent to distribute, controlled substances. Title 21, United States Code, Section 846 provides for criminal penalties for those who conspire to commit these acts.

STATEMENT OF PROBABLE CAUSE

Summary of DEA Investigation of the Distributors and Oscar RUIZ.

Seizure of First UPS Package

21. On January 27, 2022, Bremerton police officers were dispatched to a UPS facility in Bremerton, Washington to take custody of suspected narcotics recovered from a package. The suspected narcotics appeared to be shards of clear crystalline substances in clear plastic wrapping. The package listed a sender as Distributor 1, and his address was confirmed with the department of licensing. The UPS employee had concerns about

1 Distributor 1's suspicious behavior while mailing the package and UPS personnel opened
2 the package and identified the suspected narcotics. By policy, UPS reserves the right to
3 inspect packages before shipping and may open them. Police confirmed Distributor 1's
4 identification with the employee, and the employee also stated he had been at the facility
5 previously and had sent packages of similar dimensions to multiple locations in North
6 Dakota. Based on officers' training and experience, they believed the narcotics to be
7 methamphetamine. The suspected methamphetamine was not field tested due to the
8 possibility of the presence of Fentanyl. The total weight of the package was
9 approximately two pounds.

10 Seizure of Second UPS Package:

11 22. On January 28, 2022, Bremerton police officers were again dispatched to
12 the UPS facility in Bremerton, Washington to take custody of suspected narcotics
13 recovered from a package. Upon arrival, officers took custody of the suspected narcotics
14 and were told by UPS personnel that the package had been sent by the same group that
15 had attempted to send narcotics the previous day. Officers learned that in this case the
16 package had been sent by a heavy-set female wearing a mask. The female provided the
17 name Distributor 2 and used a credit card number under the same name. A search of
18 DOL records showed that the address Distributor 2 gave matched the DOL records. The
19 package was addressed to an individual in Bismarck, North Dakota. UPS personnel took
20 photos of Distributor 2 inside the facility and identified a green Nissan Titan truck, they
21 were driving. A search of the license plate in law enforcement databases showed that the
22 vehicle was registered to Distributor 2.

23 23. Following that, UPS personnel told officers that Distributor 2 was receiving
24 packages from multiple locations, to include Arizona. Based on my training and
25 experience, I know that drug distributors in Arizona supply thousands of suspected
26 fentanyl pills to drug customers nationwide. Officers transported the package, with the
27 suspected narcotics, back to the BPD office where everything was photographed,
28 weighed, and then secured in drug storage. Based on their training and experience,

officers concluded that the narcotics were methamphetamine and fentanyl pills. The suspected methamphetamine was wrapped in a plastic wrap bundle and weighed approximately one pound. The suspected fentanyl pills were in a clear plastic bag and weighed approximately 112.5 grams. Officers did not field test the narcotics for fear of exposure to fentanyl.

Administrative Subpoena served at UPS Store

24. On December 1, 2021, Distributor 1 shipped a package to Manuel RUIZ-Vazquez at 4136 West Maryland Avenue, Phoenix, Arizona 85019 (TL2)⁴. Distributor 1 listed his DOL address with TT1⁵ as a contact number. Manuel RUIZ-Vazquez's number was listed as 928-327-8573 (**TT3**). Phone toll analysis on TT1 showed the phone was in contact with **TT3** on December 1, 2021. Additionally, Distributor 1 sent another package, utilizing TT1 as a contact number, to Eric PALERMOS at 1533 1st Street SE, Minot, North Dakota 58701. Agents also learned that Distributor 1 had rented a room at the Staybridge Suites Minot on December 4, 2021 and stayed one night. Based on my training and experience, phone toll records, and hotel records, I believed that Distributor 1 possibly sent drug proceeds to Manuel RUIZ-Vazquez at TL2 on December 1, 2021 and that same day sent narcotics to a drug associate in Minot, North Dakota. I further believed at that time, based on package information, that RUIZ-Vazquez was the user of **TT3**.

25. Based on the UPS information, agents conducted further database queries and open-source searches into **TT3**. **TT3** was listed as a phone number for Manuel RUIZ-Vazquez on a package sent from Distributor 1 to RUIZ-Vazquez at TL2 in December 2021. Commercial database queries indicated Lorenia RUIZ, Manuel RUIZ-Vazquez, and Oscar RUIZ were all associated with TL2. Agents believed Oscar RUIZ was the son of Lorenia RUIZ and Manuel RUIZ-Vazquez.

⁴ TL2

⁵ Distributor 1 is the user of TT1, Distributor 2 is the user of TT2, and Oscar RUIZ is the user of **TT3**.

1 26. On December 8, 2021, Distributor 2, using her DOL address and TT2 as a
2 contact number, shipped a package to Martin RUIZ-Vazquez at TL2. The contact number
3 for Martin RUIZ-Vazquez on the package was Distributor 1's TT1. Phone toll analysis of
4 Distributor 1's TT1 showed it was in contact with **TT3** on December 8, 2021. Based on
5 my training and experience, and the package information, I believed that Distributor 2
6 mailed drug proceeds to Martin RUIZ-Vazquez on December 8, 2021.

7 27. On December 20, 2021, UPS records indicate an unknown individual
8 shipped a package from Scottsdale, Arizona to Distributor 1 at his DOL address. Alaska
9 Airlines records showed that Distributor 1 flew from Seattle, Washington to Phoenix,
10 Arizona on December 20, 2021. Phone toll records also indicated that TT1 was in contact
11 with **TT3** on December 20, 2021. Based on my training and experience, phone toll
12 records, and flight records, I believed that Distributor 1 (TT1) flew to Phoenix on
13 December 20 in order to pick up narcotics from RUIZ-Vazquez or one of his associates.
14 I further believed that Distributor 1 picked up the narcotics and traveled to the UPS
15 location in Scottsdale, Arizona where he then mailed the narcotics to his DOL address in
16 Bremerton, Washington.

17 28. On January 17, 2022, Distributor 1 sent two packages from the UPS store at
18 5156 West Olive Avenue, Glendale, Arizona 85302 to "Ron COOPER" at Distributor 1's
19 DOL address. In February 2022, agents from DEA Phoenix served an administrative
20 subpoena at 5156 West Olive Avenue and received a receipt from UPS personnel signed
21 by Distributor 1 that confirmed the transaction. Alaska flight records from January 17,
22 2022 show that Distributor 1 flew to Phoenix from Seattle at 6:00 a. m. and flew back to
23 Seattle the same day at 5:40 p.m. Phone toll analysis showed **TT3** and TT1 were in
24 contact on January 17, 2022. Based on my training and experience, flight records, and
25 phone toll analysis, I believed that Distributor 1 flew to Phoenix in order to pick up
26 narcotics from Manuel RUIZ-Vazquez or one of his associates. I further believed that
27 Distributor 1 shipped the narcotics to his DOL address in Bremerton, Washington.
28

29. On January 25, 2022, Distributor 1 shipped a 2.8 pound package from the UPS location at 2303 North 44th Street, Suite 14, Phoenix, Arizona to Distributor 1 at his DOL address and listed TT1 as a contact number. In February 2022, agents with DEA Phoenix served an administrative subpoena at 2303 North 44th Street and received documentation that indicated Distributor 1 had mailed the package from that location. Alaska Airlines flight records indicated that Distributor 1 took a flight from Phoenix to Seattle on January 25, 2022. Phone toll analysis on TT1 showed that Distributor 1 was in contact with TT3 on January 25, 2022. Based on my training and experience, phone toll records, and flight information, I believed Distributor 1 traveled to Arizona on January 25, 2022 in order to pick up narcotics from Manuel RUIZ-Vazquez or one of his associates. I further believed that Distributor 1 mailed the narcotics from Arizona to his DOL address in Bremerton, Washington.

30. As listed above, packages were seized on January 27, 2022 and January 28, 2022 which were sent by the Distributors and intended to go to North Dakota. Based on my training and experience, I believed the narcotics seized on January 27, 2022 and January 28, 2022 were part of the shipment of drugs that Distributor 1 mailed from Arizona on January 25, 2022.

31. On February 2, 2022, agents were contacted by UPS personnel and told that the Distributors had come to their location at 8000 Werner Road, Bremerton, Washington, and asked about the status of the packages sent on January 27, 2022 and January 28, 2022.

32. On February 10, 2022, UPS personnel contacted agents about a package that was sent on February 3, 2022 from an unknown individual at the UPS Store at 3370 North Hayden Road, Suite #123, Scottsdale, Arizona to "Ron COOPER" in Bremerton, Washington. The package weighed approximately 16.7 pounds. Following that, agents looked into air or rental information pertaining to the Distributors. As a result, they observed that Distributor 2 had rented a vehicle from the SeaTac Airport on February 4, 2022 and returned it on February 11, 2022. The vehicle had been driven 1055 miles.

1 Based on my training and experience, UPS records, and rental information, I believed
 2 that the Distributors had received approximately 16.7 pounds of narcotics on February 3,
 3 2022. I further believed that they transported the suspected narcotics to drug customers at
 4 an unknown location.

5 Identification of Oscar RUIZ's Association to TT3

6 33. Phone toll analysis of TT3 showed a listed subscriber for the phone of
 7 "Cheko LL" at TL2. A review of social media platforms led to the identification of
 8 Instagram accounts for Oscar RUIZ and his suspected girlfriend, Kimberly BERRONES.
 9 The Instagram account for RUIZ was Back2thejungle_oscar, Chekko_602. The
 10 Instagram account for Kimberly BERRONES was listed as Back2jungle_amaanikb.
 11 Both are associated with the "Back 2 the Jungle Kennels," a dog breeding business.
 12 Additionally, agents learned Oscar RUIZ used the moniker "Garcia Chekko." Based on
 13 their training and experience, phone toll analysis on TT3, and social media research,
 14 agents suspected Oscar RUIZ's association with an Instagram moniker that included
 15 "Chekko" and the subscriber for TT3 being listed as "Cheko LL" indicated that Oscar
 16 RUIZ was probably the actual user of TT3.

17 Distributor 1's Trip to Las Vegas in February 2022

18 34. In late February 2022, agents conducted phone toll analysis on TT1 and
 19 learned the phone had been in contact with a number for Alaska Airlines on February 10,
 20 2022. Shortly thereafter, agents sent an administrative subpoena to Alaska Airlines for
 21 any information regarding Distributor 1. Distributor 1 took Alaska flight 1116 on
 22 February 19, 2022 from Seattle, Washington to Las Vegas, Nevada.

23 35. Agents conducted phone toll analysis on TT3 and learned that it had a top
 24 contact of 310-560-4328. The 310-560-4328 number is subscribed to Lorenia RUIZ.
 25 Agents also learned that Lorenia RUIZ was the registered co-owner of a 2021 Chevrolet
 26 Silverado truck, with Arizona plate JTA4RG, and registered address of TL2. Following
 27 that, agents researched the DEA National License Plate Reader (LPR) database and
 28 learned Lorenia RUIZ's 2021 Chevrolet Silverado truck, Arizona plate JTA4RG, hit on

1 northbound (NB) US-93 (toward Las Vegas) on February 19, 2022 at 3:48 p.m. Pacific
2 Daylight Time (PDT). This LPR is approximately 100 miles southeast of Las Vegas,
3 Nevada.

4 36. Distributor 1's flight landed in Las Vegas on February 19, 2022 at 9:45p.m.
5 Stacey RUIZ, an individual associated with TL2, used the number 602-600-9602 to make
6 an eleven second call to 702-248-1111 on February 20, 2022. 702-248-1111 is the Nellis
7 Taxi Cab Service phone number in Las Vegas, Nevada. Based on Distributor 1's flight
8 history, LPR data from February 19, 2022, and phone toll analysis, agents believed that
9 Distributor 1 and, either Oscar RUIZ or one of his associates, met in Las Vegas on drug
10 business.

11 37. According to an Instagram video post on February 26, 2022 for a separate
12 account of the dog breeding business, Back2thejunglekennels, Kimberly BERRONES
13 announced a plan to build a ranch for horses and dogs. In the video, a black pickup truck,
14 appearing to be a Chevrolet, was also visible. Agents were unable to observe a license
15 plate during the video but believed the truck was very similar to Lorenia RUIZ's 2021
16 Chevrolet Silverado truck, Arizona plate JTA4RG, observed on the DEA LPR earlier in
17 the month. Agents conducted a search of the Arizona Motor Vehicle Department (MVD)
18 and it listed an address of 42524 West Earl Drive, Tonopah, Arizona 85354 (TL1) for
19 RUIZ's girlfriend. Based on the landscape features in the video, agents believed it was
20 shot at TL1.

21 Distributor 1 Travels to Arizona – March 2022

22 38. On March 7, 2022, a United States Magistrate Judge authorized GPS
23 tracking and PEN data collection on Distributor 1's TT1, Distributor 2's TT2, and Oscar
24 RUIZ's **TT3**. A few days later, agents began receiving location information on TT1,
25 TT2, and **TT3** and learned that Distributor 1 was in the vicinity of Bismarck, North
26 Dakota, Distributor 2 was in the vicinity of Orlando, Florida, and Oscar RUIZ was west
27 of Phoenix, Arizona. Specifically, location information for Oscar RUIZ's **TT3**
28 consistently indicated the device was in the vicinity of TL1.

1 39. On March 10, 2022, agents reviewed PEN data from **TT3** and observed the
2 phone had a twenty-five-minute call with a 564-546-0759 (TT4) at 4:31 p.m. Pacific
3 Daylight Time (PDT). Agents knew that area code “564” was associated with
4 Washington. Following that, agents requested phone toll data on TT4 and learned the
5 phone had been activated on March 6, 2022 and was subscribed to David Burkhalter in
6 Bremerton, Washington 98312. The subscriber information for TT4 listed Distributor 1’s
7 TT1 as a work and home phone. Additionally, based on a search of law enforcement
8 databases, agents learned the residence at the subscriber address had been purchased by
9 Distributor 1 on December 6, 2021 and that Distributor 2 had paid property tax on the
10 location. Agents conducted additional phone toll analysis on TT4 and learned that on
11 March 6, 2022 (the day the phone was activated) the phone had been in contact with
12 known Distributor 1 associates.

13 40. On March 11, 2022, agents checked location information on TT1 and
14 observed the phone was moving west from Bismarck, North Dakota. Agents continued to
15 monitor TT1’s movement throughout the day as it moved southwest from Bismarck to
16 Rawlins, Wyoming. Agents checked PEN data for TT1 and learned the phone had been in
17 contact with **TT3** at 8:56 p.m. PDT for a three minute and forty-four second call. PEN
18 data from **TT3** also showed phone contact with TT4 at 9:22 a.m. PDT, a text at 10:57
19 a.m. PDT, a text at 8:18 p.m. PST, and two texts at 9:17 p.m. PDT and 9:18 p.m. PDT.
20 Based on the direction of TT1’s movement and PEN data activity, agents believed
21 Distributor 1 was possibly driving to Arizona to resupply with Oscar RUIZ.

22 41. On March 12, 2022, agents continued to monitor location information from
23 TT1 and observed the phone moved from the vicinity of Rawlins, Wyoming to the
24 vicinity of Phoenix, Arizona. Agents also checked location information for **TT3** and
25 confirmed the phone remained in the vicinity of TL1. PEN data from March 12, 2022
26 showed there had been a call between TT1 and **TT3** at 8:25 a.m. PDT and texts between
27 TT4 and **TT3** at 7:06 a.m. PDT. Additionally, at 11:14 p.m. PDT, PEN data indicated
28 there was a call between TT1 and **TT3**.

1 42. Agents believed Distributor 1 arrived in the vicinity of Phoenix around 1:10
2 a.m. PDT on March 13, 2022, based on location information from TT1. Agents further
3 believed that Distributor 1 went to the Talking Stick Resort in Scottsdale, Arizona 85256.
4 Agents contacted the Talking Stick Resort about Distributor 1's possible stay. Talking
5 Stick Resort personnel confirmed Distributor 1 had been at their location and produced a
6 surveillance photo of Distributor 1 and an unidentified female.

7 43. On March 13, 2022, between 9:06 a.m. PST and 10:05 p.m. PST, PEN data
8 from **TT3** showed a call between **TT3** and TT1. There were also multiple
9 communications between **TT3** and TT4. Based on the volume of communications
10 between TT1, **TT3**, TT4 on March 13, 2022 and location information for TT1 and **TT3**
11 from that day, agents did not believe Distributor 1 and Oscar RUIZ had met yet to
12 conduct any drug business.

13 44. On March 14, 2022, between 9:27 a.m. PDT and 11:27 a.m., PEN data
14 from **TT3** showed there were calls and texts between TT1 and **TT3**. At approximately
15 11:23 a.m. PDT, agents observed that TT1 and **TT3** were in the same vicinity. At 12:22
16 p.m. PDT, all calls and texts ceased between **TT3** and Distributor 1's numbers (TT1 and
17 TT4). Based on my training and experience, phone toll data, and location information for
18 TT1 and **TT3**, I believed that Oscar RUIZ met with Distributor 1 at approximately 11:23
19 a.m. PDT in order to resupply him with narcotics. Location information from **TT3** prior
20 to and after the suspected drug transaction between Oscar RUIZ and Distributor 1
21 showed the device in the vicinity of TL1. Agents believed Oscar RUIZ traveled from
22 TL1 to meet Distributor 1 and then went back to that location.

23 45. Between March 14, 2022 and March 15, 2022, agents observed location
24 information for TT1 move from the vicinity of Arizona to Las Vegas, Nevada and
25 returning to Bremerton, Washington on March 17, 2022.

26 *Traffic Stop of the Distributors in June 2022*

27 46. On June 2, 2022, at approximately 2:00 p.m., location information for **TT3**
28 indicated the device was in the vicinity of TL1. Shortly thereafter, agents with DEA

1 Phoenix drove to TL1 and observed a black Chevrolet pickup truck parked in the
2 driveway. Agents were unable to confirm the license plate for the truck but believed it
3 was likely the Chevrolet Silverado registered to Lorenia RUIZ at TL2. Based on location
4 data from **TT3** and the identification of the truck, agents believed Oscar RUIZ was at
5 TL1.

6 47. On June 6, 2022, United Magistrate Judge, the Honorable Theresa L.
7 Fricke, authorized renewed GPS tracking and Pens for the phones in the Distributors'
8 case.

9 48. On June 10, 2022, at approximately 7:30 p.m., agents observed location
10 information from both Distributors showing their phone in the vicinity of Highway 16
11 moving east toward SeaTac Airport. Based on previous trips that the Distributors have
12 made, agents believed they had rented a vehicle at the SeaTac airport, which was
13 confirmed by Avis rental cars.

14 49. At approximately 11:00 p.m., agents observed location information for TT1
15 and TT2 moving east along Interstate 90 (I-90). Agents continued to monitor the
16 movement of the phones as they traveled through Washington and Idaho, into Utah, then
17 Nevada, and finally arriving in Phoenix, Arizona on the morning of June 12, 2022.

18 50. Agents monitored **TT3**'s location information on the morning of June 12,
19 2022 and it showed the device in the vicinity of TL1. At approximately 11:41 a.m.,
20 location information from **TT3** showed the device moving east towards Phoenix,
21 Arizona.

22 51. Between 12:00 p.m. to 1:00 p.m. PST, location information for TT1, TT2,
23 and **TT3** showed the phones in the same vicinity of Phoenix, Arizona. Shortly thereafter,
24 location information showed TT1 and TT2 still within relative vicinity of each other but
25 **TT3** outside of where it had been. Later that afternoon, location information from TT1
26 and TT2 showed the phones departing Phoenix and traveling towards Las Vegas, Nevada.
27 Based on location information from TT1, TT2, and **TT3**, agents believed that between
28 12:00 p.m. and 1:00 p.m., the Distributors met with Oscar RUIZ and were resupplied

1 with narcotics. Location information for all three phones at that time also showed them
2 within the vicinity of TL2.

3 52. On June 13, 2022, location information for TT1 and TT2 showed the
4 phones at the Downtown Grand Hotel and Casino at 206 North 3rd Street, Las Vegas,
5 Nevada 89101. The DEA Las Vegas identified the Distributor's rental vehicle at the
6 hotel. Later that day, location information for TT1 and TT2 showed the phones had
7 departed Las Vegas and were moving northwest towards Washington.

8 53. On the morning of June 14, 2022, agents identified the Distributor's rental
9 vehicle in Oregon traveling northbound towards Washington. Following that,
10 surveillance was maintained on the vehicle as it traveled from Oregon into Washington.

11 54. At approximately 11:37 a.m. PST, officers with the Centralia Police
12 Department (CPD) conducted a traffic stop on the rental vehicle. During the stop, a
13 narcotic trained K-9 was deployed on the vehicle and there was an alert for the presence
14 of narcotics. Following that, CPD personnel detained the Distributors and seized the
15 vehicle pending a state search warrant. Shortly thereafter, CPD personnel were granted a
16 search warrant for the vehicle and the subsequent search resulted in the seizure of
17 approximately 8 pounds of suspected methamphetamine and 2.25 pounds of suspected
18 fentanyl pills.

19 Controlled Delivery with Oscar RUIZ

20 55. In late June 2022, agents directed the CS to contact Oscar RUIZ at **TT3** and
21 set up a deal for a thousand M-30 fentanyl pills. Shortly thereafter, the CS informed
22 agents that Oscar RUIZ had agreed to sell him/her a thousand M-30 fentanyl pills for
23 eight hundred and fifty dollars.

24 56. On June 30, 2022, agents with DEA Phoenix met with the CS at a neutral
25 location. The CS informed agents that Oscar RUIZ had texted, utilizing **TT3**, and told
26 him/her to meet him (RUIZ) at 43rd and Maryland. Agents believed Oscar RUIZ wanted
27 to conduct the deal at that location because it was near TL2. On the morning of June 30,
28

1 2022, agents monitored **TT3**'s location; the device was consistently in the vicinity of
2 TL1.

3 57. At approximately 12:56 p.m. Mountain Standard Time (MST), agents
4 observed **TT3** moving east towards Phoenix.

5 58. At approximately 1:10 p.m. MST, agents conducted a search of the CS's
6 vehicle and person and provided the CS with the funds to complete the deal. At
7 approximately 1:50 p.m. MST, agents prepositioned at TL2 observed a silver 2014
8 Chevrolet Impala bearing Arizona license plate CTW0029 (TV1) pull up to TL2. A
9 search of Arizona MVD showed the vehicle was registered to Kimberly BERRONES at
10 TL1. Agents observed a male, later identified as Oscar RUIZ, female, and two kids exit
11 TV1.

12 59. At approximately 1:52 p.m. MST, agents observed a different male enter
13 into TV1 and depart TL2.

14 60. At approximately 2:04 p.m. MST, the CS departed the neutral location and
15 agents followed him/her to the meet location at the Fry's located at 4230 West McDowell
16 Road, Phoenix, Arizona. Oscar RUIZ informed the CS, using **TT3**, that he would not do
17 the deal at that Fry's location. Oscar RUIZ wanted the CS to come to 43rd and Maryland.
18 Oscar RUIZ stated in a text message "cause my parents live by here and I stay far."

19 61. At approximately 2:11 p.m. MST, location information for **TT3** indicated
20 the device was in the vicinity of TL2. Agents, viewing a pre-positioned camera outside of
21 TL2, observed TV1 arrive at the residence at approximately this time. At approximately
22 2:18 p.m. MST, agents, utilizing a pre-positioned camera, observed TV1 depart TL2 and
23 come back at approximately 2:22 p.m. At approximately 2:34 p.m. MST, Oscar RUIZ
24 asked the CS to come to the vicinity of 43rd Avenue and Bethany Home Road.

25 62. The CS arrived at the Fry's at 4353 West Bethany Home Road, Glendale,
26 Arizona. The CS texted Oscar RUIZ his location and Oscar RUIZ responded "k." Agents
27 watched TV1 depart TL2 at 3:03 p.m. MST on the pre-positioned camera.
28

63. TV1 arrived at the deal location at 3:07 and parked next to the CS's vehicle. Agents saw the CS exit his/her vehicle and go to the driver's side window of TV1. A few minutes later, agents saw the CS walk back to his/her vehicle and get inside. Both vehicles then left the area.

64. Agents watched the CS as he/she went back to the neutral location and searched his/her vehicle and person with negative results. Following that, agents conducted a debrief with the CS. They showed him/her a DOL photo of Oscar RUIZ and the CS positively identified Oscar RUIZ as the male who sold him/her the suspected M-30 fentanyl pills. The CS said that Oscar RUIZ said that he (RUIZ) had different kind of pills for sale, including "popcorn." The CS stated that he/she walked to Oscar RUIZ's vehicle and gave him the money for the deal through the window and Oscar RUIZ handed him/her the bag containing the suspected pills through the driver's side window.

65. At approximately 3:13 p.m. MST, agents, utilizing a pre-positioned camera at TL2, observed TV1 arrive back at the residence and park in the driveway. Following that, agents terminated the operation.

KNOWLEDGE OF CELL PHONE PROVIDERS

66. Based on my training and experience, I know each cellular device has one or more unique identifiers embedded inside it. Depending on the cellular network and the device, the embedded unique identifiers for a cellular device could take several different forms, including an Electronic Serial Number ("ESN"), a Mobile Electronic Identity Number ("MEIN"), a Mobile Identification Number ("MIN"), a Subscriber Identity Module ("SIM"), a Mobile Subscriber Integrated Services Digital Network Number ("MSISDN"), an International Mobile Subscriber Identifier ("IMSI"), or an International Mobile Equipment Identity ("IMEI"). The unique identifiers -- as transmitted from a cellular device to a cellular antenna or tower -- can be recorded by pen-traps and indicate the identity of the cellular device making the communication without revealing the communication's content.

1 67. Based on my training and experience, I know that when a cell phone
2 connects to a cellular antenna or tower, it reveals its embedded unique identifiers to the
3 cellular antenna or tower, and the cellular antenna or tower records those identifiers as a
4 matter of course. The unique identifiers -- as transmitted from a cell phone to a cellular
5 antenna or tower -- are like the telephone number of an incoming call. They can be
6 recorded by pen-trap devices and indicate the identity of the cell phone device making the
7 communication without revealing the communication's content. In addition, a list of
8 incoming and outgoing telephone numbers is generated when a cell phone is used to
9 make or receive calls, or to send or receive text messages (which may include
10 photographs, videos, and other data). These telephone numbers can be recorded by pen-
11 trap devices and then used to identify the parties to a communication without revealing
12 the communication's contents.

13 68. Based my training and experience, I know that a cell phone can also be
14 used to exchange text messages with email accounts. The email addresses associated with
15 those text messages can be recorded by pen-trap devices and then used to identify parties
16 to a communication without revealing the communication's contents.

17 69. Based on my training and experience, I know that cellular phones can
18 connect to the internet via a cellular network. When connecting through a cellular
19 network, internet communications sent and received by the cellular phone each contain
20 the same unique identifier that identifies cellular voice communications, such as an ESN,
21 MEIN, MIN, SIM, IMSI, MSISDN, or IMEI. Internet communications from a cellular
22 phone also contain the IP address associated with that cellular phone at the time of the
23 communication. Each of these unique identifiers can be used to identify parties to a
24 communication without revealing the communication's contents.

25 70. In my training and experience, I have learned T-Mobile are companies that
26 provid cellular telephone access to the general public. I also know that certain providers
27 of cellular telephone service have technical capabilities that allow them to collect and
28 generate information about the locations of the cellular telephones to which they provide

1 service, including E-911 Phase II data (also known as GPS data or latitude-longitude
2 data) and cell-site data (also known as “tower/face information” or cell tower/sector
3 records). E-911 Phase II data provides relatively precise location information about the
4 cellular telephone itself, either via GPS tracking technology built into the phone or by
5 triangulating on the device’s signal using data from several of the provider’s cell towers.
6 Cell-site data identifies the cell towers (i.e., antenna towers covering specific geographic
7 areas) that received a radio signal from the cellular telephone and, in some cases, the
8 “sector” (i.e., faces of the towers) to which the telephone connected. These towers are
9 often a half-mile or more apart, even in urban areas, and can be 10 or more miles apart in
10 rural areas. Furthermore, the tower closest to a wireless device does not necessarily serve
11 every call made to or from that device. Accordingly, cell-site data is typically less precise
12 than E-911 Phase II data.

13 71. Based on my training and experience, I know that T-Mobile can collect E-
14 911 Phase II data about the location of **TT3**, including by initiating a signal to determine
15 the location of **TT3** on T-Mobile networks or with such other reference points as may be
16 reasonably available.

17 72. When using a cellular connection to receive or transmit data, a cellular
18 phone typically utilizes a cell tower to make telephone calls, send or receive text
19 messages, send or receive emails, surf the internet, carry out application initiated data
20 transfers, among other things.

21 73. Based on my training and experience, I know that T-Mobile can collect
22 cell-site data about **TT3**. Based on my training and experience, I know that for each
23 communication (including data connections) a cellular device makes, its wireless service
24 provider can typically determine: (1) the date and time of the communication; (2) the
25 telephone numbers involved, if any; (3) the cell tower to which the customer connected at
26 the beginning of the communication; (4) the cell tower to which the customer connected
27 at the end of the communication; and (5) the duration of the communication. I also know
28 that wireless providers such as T-Mobile typically collect and retain cell-site data

1 | pertaining to cellular devices to which they provide service in their normal course of
2 | business in order to use this information for various business-related purposes.

3 | 74. Different service providers use different systems, applications, and reports
4 | to collect or analyze cell site data. These systems, applications, and reports are referred to
5 | by a variety of names including, but not limited to real-time tool or “RTT” (Verizon),
6 | Periodic Location Updates or “PLU” (Verizon), per call measurement data or “PCMD”
7 | (Sprint PCS), Network Event Location System or “NELOS” (AT&T), EVDO, ALULTE,
8 | Timing Advance, and TruCall. RTT data, for example, estimates the approximate
9 | distance of the cellular device from a cellular tower based upon the speed with which
10 | signals travel between the device and the tower. This information can be used to estimate
11 | an approximate location range that is more precise than typical cell-site data.

12 | 75. Based on my training and experience, I know that wireless providers such
13 | as T-Mobile typically collect and retain information about their subscribers in their
14 | normal course of business. This information can include basic personal information about
15 | the subscriber, such as name and address, and the method(s) of payment (such as credit
16 | card account number) provided by the subscriber to pay for wireless communication
17 | service. I also know that wireless providers such as T-Mobile typically collect and retain
18 | information about their subscribers’ use of the wireless service, such as records about
19 | calls or other communications sent or received by a particular device and other
20 | transactional records, in their normal course of business. In my training and experience,
21 | this information may constitute evidence of the crimes under investigation because the
22 | information can be used to identify **TT3’s** users and may assist in the identification of co-
23 | conspirators and/or victims.

24 | 76. Modern cell phones allow users to switch their telephone numbers, use
25 | multiple telephone numbers on a single device, and transfer their telephone number to a
26 | different cell phone. These changes can be made with the assistance of the wireless
27 | provider or by taking actions such as changing the “SIM card” (short for “subscriber
28 | identity module card”) of a cellphone. To provide for any such changes made to **TT3**,

Attachment A specifies that the property to be searched includes: (i) any instrument to which the listed target telephone number was assigned within the last 30 days, and that now has been assigned a changed telephone number, (ii) any changed telephone number assigned to an instrument now bearing the same unique identifying number (such as an IMSI, ESN, MSID, or IMEI) as the telephone number listed above, or that was bearing the same unique identifying number as the telephone number listed above, at any point within the last 30 days, (iii) any changed unique identifying number subsequently assigned to the same telephone number, or (iv) any additional changed telephone number and/or unique identifying number, whether the changes occur consecutively or simultaneously, listed to the same subscriber and wireless telephone account number as the telephone numbers listed above, within the period of disclosure authorized by this warrant.

AUTHORIZATION REQUEST

77. Based upon the facts contained in this Affidavit, I submit that probable cause exists to believe that **TT3** is being used to facilitate the criminal activities of Oscar RUIZ. I further believe that the RUIZ is engaged in criminal activity, including drug possession/distribution and that **TT3** is being used by the RUIZ to facilitate such activities. I believe that information obtained from the requested pen register and trap and trace device and real-time GPS location data on **TT3** will be relevant to the ongoing investigation in that it will assist in identifying other frequented locations of RUIZ for further investigation and future physical surveillance and search warrants.

78. Based on the foregoing, I request that the Court issue the proposed search warrant and pen-trap order, pursuant to Federal Rule of Criminal Procedure 41, 18 U.S.C. § 2703(c), and 18 U.S.C. § 3123.

79. I further request that the Court direct T-Mobile to disclose to the government any information described in Attachment B that is within the possession, custody, or control of T-Mobile. I also request that the Court direct T-Mobile to furnish the government all information, facilities, and technical assistance necessary to

1 accomplish the collection of the information described in Attachment B unobtrusively
2 and with a minimum of interference with T-Mobile's services, including by initiating a
3 signal to determine the location of **TT3** on T-Mobile networks or with such other
4 reference points as may be reasonably available, and at such intervals and times directed
5 by the government. The agency shall reasonably compensate T-Mobile for reasonable
6 expenses incurred in furnishing such facilities or assistance.

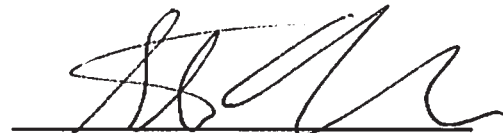
7 80. Pursuant to 18 U.S.C. § 2703(g), the government will execute this warrant
8 by serving the warrant on T-Mobile. Because the warrant will be served on T-Mobile,
9 who will then compile the requested records and data, reasonable cause exists to permit
10 the execution of the requested warrant at any time in the day or night. I therefore request
11 that the Court authorize execution of the warrant at any time of day or night, owing to the
12 potential need to locate **TT3** outside of daytime hours.

13 **REQUEST FOR DELAYED NOTICE**

14 81. I further request, pursuant to 18 U.S.C. § 3103a(b) and Federal Rule of
15 Criminal Procedure 41(f)(3), that the Court authorize the officer executing the warrant to
16 delay notice to the subscriber or user of **TT3** until 90 days after the collection authorized
17 by the warrant has been completed. There is reasonable cause to believe that providing
18 immediate notification of the warrant may have an adverse result, as defined in 18 U.S.C.
19 § 2705. Providing immediate notice to the subscriber or user of **TT3** would seriously
20 jeopardize the ongoing investigation, as such a disclosure would give that person an
21 opportunity to destroy evidence, change patterns of behavior, notify confederates, and
22 flee from prosecution. *See* 18 U.S.C. § 3103a(b)(1). As further specified in Attachment
23 B, which is incorporated into the warrant, the proposed search warrant does not authorize
24 the seizure of any tangible property. *See* 18 U.S.C. § 3103a(b)(2). Moreover, to the extent
25 that the warrant authorizes the seizure of any wire or electronic communication (as
26 defined in 18 U.S.C. § 2510) or any stored wire or electronic information, there is
27 reasonable necessity for the seizure for the reasons set forth above. *See* 18 U.S.C. §
28 3103a(b)(2).

REQUEST FOR SEALING

82. I further request that the Court order that all papers in support of this Application, including the Affidavit, Search Warrant, and Pen/Trap Order, and all related documents, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.



Steven Meyer, Affiant
Special Agent, DEA

The above-named agent provided a sworn statement attesting to the truth of the contents of the foregoing affidavit by telephone on the 29th day of July, 2022.



J. RICHARD CREATURA
United States Chief Magistrate Judge

EXHIBIT 1

DECLARATION

I, Hillary K. Stuart, declare as follows:

1. I am a duly appointed Assistant United States Attorney for the Western District of Washington, and I have primary responsibility for representing the interests of the United States herein.

2. I make this declaration in support of an Application for a search warrant pursuant to Federal Rule of Criminal Procedure 41 and 18 U.S.C. § 2703(c)(1)(A) with an integrated pen-trap order pursuant to 18 U.S.C. §§ 3122 and 3123. Pursuant to 18 U.S.C. § 3122(a)(1), I am the applicant for purposes of the pen-trap portion of the requested warrant and order.

3. Pursuant to 18 U.S.C. § 3122(b), I certify that the DEA is the law enforcement agency conducting the investigation in this matter and that the information likely to be obtained from the requested warrant is relevant to an ongoing criminal investigation being conducted by that agency.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing Application is made on the basis of information officially furnished, and on that basis I verily believe such information to be true.

Executed this 29th day of July, 2022.

/s/ Hillary K. Stuart
HILLARY K. STUART
Assistant United States Attorney

ATTACHMENT A

Property to Be Searched and Subscriber/Subject Information

1. Records and information associated with the following cellular phone: **(928) 327-8573**, with a subscriber name of CHEKO LL at 4136 West Maryland Avenue, Phoenix, Arizona 85019, activated on January 15, 2021, and service provided by T-Mobile, a wireless telephone service provider headquartered at 4 Sylvan Way, Parsippany, New Jersey (hereinafter referred to as Target Telephone 3 or **TT3**). **TT3** is described herein and in Attachment A, and the location information to be seized is described herein and in Attachment B. Agents believe **TT3** is currently being used by Oscar RUIZ, who agents believe is conspiring with members of the Distributors DTO and others unknown;

2. The Target Cell Phone (**TT3**).

3. The property to be searched includes: (i) any instrument to which the listed target telephone number was assigned within the last 30 days, and that now has been assigned a changed telephone number, (ii) any changed telephone number assigned to an instrument now bearing the same unique identifying number (such as an IMSI, ESN, MSID, or IMEI) as the telephone number listed above, or that was bearing the same unique identifying number as the telephone number listed above, at any point within the last 30 days, (iii) any changed unique identifying number subsequently assigned to the same telephone number, or (iv) any additional changed telephone number and/or unique identifying number, whether the changes occur consecutively or simultaneously, listed to the same subscriber and wireless telephone account number as the telephone numbers listed above, within the period of disclosure authorized by this warrant.

ATTACHMENT B

Particular Things to be Seized

This warrant is issued pursuant to Rule 41 of the Federal Rules of Criminal Procedure, the Electronic Communications Privacy Act (ECPA), 18 U.S.C. §§ 2701-2713, and the Pen Register Act, 18 U.S.C. §§ 3121-3127. As such, this Warrant authorizes the collection of subscriber records, pen-trap data, real time GPS location information, and real time cell site data information regarding the Target Cell Phone (TT3). **This warrant does not authorize the disclosure or seizure of any tangible property or the content of any wire or electronic communication, as defined in 18 U.S.C. § 2510(8).** Accordingly, the Court finds reasonable necessity for the seizure of the data and records identified below. *See* 18 U.S.C. § 3103a(b)(2).

I. Information to be Disclosed by T-Mobile

1. Pen Register / Trap and Trace Data and Associated Subscriber Records to Be Provided for a Period of 45 Days for TT3.

a. T-Mobile shall install and monitor pen-trap devices to record, decode, and/or capture dialing, routing, addressing, and signaling information associated with each communication to or from the Target Cell Phone (TT3) including the date, time, and duration of the communication, and the following, without geographic limit and without notice to the subscriber:

(i) IP addresses associated with the cell phone device or devices used to send or receive electronic communications;

(ii) Any unique identifiers associated with the cell phone device or devices used to make and receive calls with the cell phone number described in Attachment A, or to send or receive other electronic communications, including the ESN, MEIN, IMSI, IMEI, SIM, MSISDN, or MIN;

(iii) IP addresses of any websites or other servers to which the cell phone device or devices connected; and

(iv) Source and destination telephone numbers and email addresses.

b. On a 24-hour-a-day basis, for the duration of the authorized pen-trap devices, T-Mobile shall provide the following records for those subscribers whose identifiers are obtained pursuant to the use of the pen-trap devices: published or non-published subscriber names and addresses, including billing addresses.

2. Prospective Cell Site Location Information for TT3.

a. All information about the location of the Target Cell Phone (TT3) described in Attachment A for **a period of 45 days**, during all times of day and night. This information includes: precise location information, as well as all data about which “cell towers” (i.e., antenna towers covering specific geographic areas) and “sectors” (i.e., faces of the towers) received a radio signal from the cellular telephone(s) or account(s) described in Attachment A.

b. The physical address and coverage maps of cell towers used by the Target Cell Phone (TT3).

3. Prospective E-911/GPS and Cell Site Triangulation Information for TT3.

a. All information about the location of the Target Cell Phone (TT3) described in Attachment A for **a period of 45 days**, during all times of day and night. This information includes: all available E-911 Phase II data, GPS data, latitude-longitude data, and other precise location information, as well as all data about which “cell towers” (i.e., antenna towers covering specific geographic areas) and “sectors” (i.e., faces of the towers) received a radio signal from the cellular telephone(s) or account(s) described in Attachment A.

b. The physical address and coverage maps of cell towers used by the Target Cell Phone (TT3).

To the extent that the location information described in the previous paragraphs (hereinafter, “Location Information”) is within the possession, custody, or control of T-

1 Mobile, T-Mobile is required to disclose the Location Information to the government
2 pursuant to this warrant. In addition, pursuant to 18 U.S.C. §§ 3123(b)(2) and 3124(a)-
3 (b), T-Mobile must furnish the government all information, facilities, and technical
4 assistance necessary to accomplish the collection of the Location Information
5 unobtrusively and with a minimum of interference with T-Mobile's services. The
6 government shall compensate T-Mobile for reasonable expenses incurred in furnishing
7 such facilities or assistance.

8 **II. Information to Be Seized by the Government**

9 1. All information described above in Section I that constitutes evidence of
10 violations of 21 U.S.C. §§ 841, 846, and related crimes involving the user of **TT3**.

11 2. All non-content subscriber/account information provided pursuant to 18
12 U.S.C. § 2703(c) regarding the Target Cell Phone **TT3**.

13 3. All non-content dialing, routing, addressing, and signaling information
14 provided pursuant to 18 U.S.C. §§ 3121-3127 regarding Target Cell Phone (**TT3**).

15 4. Location Information regarding the Target Cell Phone (**TT3**).
16

17 Law enforcement personnel (who may include, in addition to law enforcement
18 officers and agents, attorneys for the government, attorney support staff, agency
19 personnel assisting the government in this investigation, and outside technical experts
20 under government control) are authorized to review the records produced by T-Mobile in
21 order to locate the things particularly described in this Warrant
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